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HOT TOPIC, INC. d/b/a HOT TOPIC and TORRID

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

KAKU LAB CORPORATION,

Case No. C07-05297 CRB

Plaintiff,

V.

HOT TOPIC, INC., a California Corporation; and DOES 1 through 20, inclusive.

**STIPULATION TO CONTINUE THE
AUGUST 22, 2008 STATUS CONFERENCE**

Defendants.

This Stipulation is entered into by and between Plaintiff Kaku Lab Corporation (“Plaintiff”) and Defendant Hot Topic, Inc., d/b/a Hot Topic and Torrid (“Defendant”), with reference to the following facts:

1 WHEREAS, on or about March 21, 2008, the Court held an Initial Case Management
2 Conference, and entered an Order referring the case to Mark LeHockey, Senior Vice President and
3 General Counsel of Ross Stores, Inc., for mediation proceedings;

4 WHEREAS, the Court set a further Case Management Conference for July 11, 2008;

5 WHEREAS, the parties stipulated to continue the July 11, 2008 Case Management
6 Conference to August 22, 2008;

7 WHEREAS, on or about July 9, 2008, the Court entered an Order continuing the July 11,
8 2008 Case Management Conference to August 22, 2008;

9 WHEREAS, on or about August 8, 2008, a conflict of interest arose between Defendant
10 and mediator Mark LeHockey;

11 WHEREAS, on or about August 11, 2008, Mark LeHockey informed the Court that he
12 could no longer serve as the mediator in this action due to the conflict;

13 WHEREAS, on or about August 18, 2008, the ADR Clerk of the Court served Notice on
14 the parties vacating the appointment of mediator Mark LeHockey;

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1 WHEREFORE, the parties hereto, through their respective counsel, hereby stipulate that:
2 The Case Management Conference currently on calendar for August 22, 2008, be
3 continued to a date in the future, following the Court's appointment of a new mediator, and
4 permitting sufficient time for the parties to engage in mediation.

5 Dated: August 17, 2008
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7 By: 
8 SHAWN T. LEUTHOLD
9 Attorney for Plaintiff KAKU LAB
10 CORPORATION

11 Dated: August 18, 2008

12 ROPERS, MAJESKI, KOHN & BENTLEY

13 By: 
14 JAMES C. POTEPAK
15 COURTNEY E. CURTIS
16 Attorneys for Defendant
17 HOT TOPIC, INC. D/B/A HOT TOPIC
18 AND TORRID

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